THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 19004 OF 1994

Date: 22.12.2006

Between:

Konde China Abbulu.

...Petitioner

and

The A.P. State Electricity Board, rep., by its Secretary, Hyderabad and another.

...

Respondents.

THE HON'BLE SRI JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO. 19004 OF 1994

ORDER:

The grievance of the petitioner in the writ petition is that while the names of candidates were sponsored by the employment exchange, pursuant to which application forms were sent and received in 1992 itself, on the mere ground that the interviews were held in the next year on 15.07.1993, the respondents had not considered the case of the petitioner on the ground that he had crossed the age limit of 30 years as on 01.07.1993.

Learned Counsel for the petitioner would contend that, the maximum age limit has to be reckoned with reference to the year in which the notification inviting applications is issued or atleast the date on which the applications are called for and not the year in which interviews were held. Learned Standing Counsel, on the other hand would submit that the rules stipulate the first July of the year in which interviews are held to be the relevant date for calculating the maximum age limit. Learned Standing Counsel would further submit that while applications were invited for posts in the electrical trade, the petitioner belongs to the wireman trade. While admitting that the petitioner's name was also sponsored by the Employment Exchange, learned Standing Counsel would

submit that it is only if the number of candidates, belonging to the electrical trade, were found insufficient would the question of candidates belongs to the wireman trade being considered arise and as, in the present case, there were sufficient number of applicants from the electrical trade itself, candidates who belonged to the electrical trade were alone selected and as such the petitioner belonged to the wireman trade, he was not considered for appointment.

In the absence of any specific challenge to the rule, it is not for this Court to examine whether the prescription of an age limit, with reference to the year in which interviews are held, is arbitrary or not.

It is not in dispute that the petitioner belongs to the wireman trade. Since applications were invited only from candidates belonging to the electrical trade, and only those from the electrical trade were selected and appointed in the respondent organization, the mere fact the petitioner's name was also sponsored by the employment exchange and the respondent had received his application pursuant thereto is of no consequence, when the fact that only candidates from the electrical trade were appointed is not in dispute. On both counts, the writ petition fails and is accordingly dismissed.

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Date: 22-12-2006 RAMESH RANGANATHAN,J

MRKR